ORDINANCE NO. 201621110-061

AN ORDINANCE AMENDING ORDINANCE NO. 20130627-090 TO MODIFY THE LAND USE PLAN FOR THE PROJECT KNOWN AS THE THINKEAST PLANNED UNIT DEVELOPMENT LOCATED AT 1141 SHADY LANE AND 5300 JAIN LANE IN THE JOHNSTON TERRACE NEIGHBORHOOD PLAN AREA AND CHANGING THE ZONING MAP FROM PLANNED UNIT DEVELOPMENT-NEIGHBORHOOD PLAN (PUD-NP) COMBINING DISTRICT TO PLANNED UNIT DEVELOPMENT-NEIGHBORHOOD PLAN (PUD-NP) COMBINING DISTRICT.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

- **PART 1.** The thinkEAST Planned Unit Development (the "thinkEAST PUD") was approved by City Council on June 27, 2013, under Ordinance No. 20130627-090 (the "Original Ordinance").
- **PART 2.** The thinkEAST PUD is comprised of approximately 24.37 acres of land located at 1141 Shady Lane and 5300 Jain Lane and more particularly described by metes and bounds in **Exhibit A** attached and incorporated into this ordinance.
- **PART 3.** The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from planned unit development-neighborhood plan (PUD-NP) combining district to planned unit development-neighborhood plan (PUD-NP) combining district on the property described in Zoning Case No. C814-2012-0128.01.SH, on file at the Planning and Zoning Department, and locally known as 1141 Shady Lane and 5300 Jain Lane, and generally identified by the map in **Exhibit B** attached and incorporated into this ordinance.
- **PART 4.** Part 5. of the Original Ordinance (*Use Regulations*), Subsection H is amended to read:
 - H. The maximum height, as defined by City Code, of a building or structure in Land Use areas 1, 2, 4 and 5 shall not exceed 40 feet or 3 stories. The maximum height, as defined by City Code, of a building or structure in Land Use area 3 shall not exceed 50 feet or 4 stories.
- **PART 5.** Exhibit C: (Land Use Plan) to the Original Ordinance is replaced with **Exhibit** C attached and incorporated into this ordinance.
- **PART 6.** Except as otherwise specifically provided in this ordinance, in all other respects the terms and conditions of Ordinance No. 20130627-090, as amended, remain in effect.

PART 7. This ordinance takes effect on November 21, 2016.		
PASSED AND APPROVED		
Novemb	er 10 , 2016	s flui Me
APPROVED:	Anne L. Morgan City Attorney	Steve Adler Mayor ATTEST: Jannette S. Goodall City Clerk

HOLT CARSON, Inc. PROFESSIONAL LAND SURVEYORS

1904 FORTVIEW ROAD AUSTIN, TX 78704 TELEPHONE: (512) 442-0990 FACSIMILE: (512) 442-1084

FIELD NOTE DESCRIPTION OF 22.37 ACRES OF LAND OUT OF THE JESSE C. TANNEHILL SURVEY ABSTRACT No. 22 IN TRAVIS COUNTY, TEXAS, BEING COMPRISED OF ALL OF THAT CERTAIN TRACT OF LAND AS CONVEYED TO COASTAL STATES MARKETING, INC., NOW KNOWN AS EL PASO MERCHANT ENERGY PETROLEUM COMPANY, BY DEED RECORDED IN VOLUME 4131 PAGE 2307 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, TOGETHER WITH ALL OF THAT CERTAIN TRACT OF LAND AS CONVEYED TO EL PASO MERCHANT ENERGY PETROLEUM COMPANY BY SPECIAL WARRANTY DEED RECORDED IN DOCUMENT No. 2003017135 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, TOGETHER WITH ALL OF THAT CERTAIN TRACT OF LAND AS CONVEYED TO EL PASO MERCHANT ENERGY PETROLEUM COMPANY BY WARRANTY DEED RECORDED IN DOCUMENT No. 2003135554 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, TOGETHER WITH ALL OF THAT CERTAIN TRACT OF LAND AS CONVEYED TO EL PASO MERCHANT ENERGY PETROLEUM COMPANY BY WARRANTY DEED RECORDED IN DOCUMENT No. 2003264332 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND TOGETHER WITH A PORTION OF THAT CERTAIN STRIP OF LAND LOCALLY KNOWN AS "JAIN LANE" AS ESTABLISHED BY INSTRUMENT RECORDED IN BOOK U PAGE 33 OF THE COMMISSIONERS' COURT MINUTES OF TRAVIS COUNTY, TEXAS, SAME BEING ALL OF THAT CERTAIN (22.41 ACRE) TRACT OF LAND AS DESCRIBED IN THAT AFFIDAVIT OF OWNERSHIP IDENTITY AND CONSOLIDATED REAL PROPERTY DESCRIPTION AS RECORDED IN DOCUMENT No. 2004098950 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, LESS THAT CERTAIN (1,585 SQUARE FEET) TRACT OF LAND AS CONVEYED TO THE CITY OF AUSTIN BY QUIT CLAIM DEED RECORDED IN DOCUMENT No. 2012076626 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 3" iron rod found at the intersection of two fences in the South line of that certain (16.05 acre) tract of land as conveyed to Hugo Anderson by deed recorded in Volume 429 Page 248 of the Deed Records of Travis County, Texas, and in the North line of that certain (7.35 acre) tract of land described as "First Tract" and as conveyed to Otto Friedrich by deed recorded in Volume 376 Page 278 of the Deed Records of Travis County, Texas, for the Southeast corner of that certain (3.2 acre) tract of land as conveyed to J.E. Hamby, et ux, by deed recorded in Volume 569 Page 15 of the Deed Records of Travis County, Texas, and for the Southeast corner of that certain (2.024 acre) tract of land as conveyed to Paubla Gutierrez by dead recorded in Volume 13304 Page 3132 of the Real Property Records of Travis County, Texas, and for an angle corner of that certain (11.256 scre) tract of land as conveyed to James H. Crockett by deed recorded in Volume 8775 Page 500 of the Deed Records of Travia County, Texas, and for an angle corner of that certain tract of land as conveyed to Stephen Cralg Anderson and Rodney Milton Anderson by Warranty Deed recorded in Volume 13127 Page 2576 of the Real Property Records of Travis County, Texas, and being an angle corner of that certain tract of land as conveyed to El Paso Merchant Energy Petroleum Company by Special Warranty Deed recorded in Document No. 2003017135 of the Official Public Records of Travis County, Texas, and being the PLACE OF BEGINNING of the herein described tract;

end of Page 1

THENCE entering the Interior of said Hugo Anderson (16.05 acre) tract with the East line of said Gutlerrez (2.024 acre) tract and with a Westerly line of said Stephen and Rodney Anderson tract, N 29 deg. 45' 31" E 236.82 ft. to a ½" iron pipe found at a chain-link fence corner post for the Northeast corner of said Gutierrez (2.024 acre) tract, and for the Southeast corner of a twenty-five foot (25') wide "Roadway" strip of which title was reserved and retained in said deed recorded in Volume 569 Page 15 of the Deed Records of Travis County, Texas, and for an angle corner of said Stephen and Rodney Anderson tract, same being an angle corner of this tract;

THENCE with the South line of said 25 ft. "Roadway" strip and with the common line of said Stephen and Rodney Anderson tract and Gutierrez (2.024 acre) tract, N 58 deg. 50' 36" W 355.68 ft. to a spindle set in the interior of the improved Shady Lane and in the Westerly line of said Hugo Anderson (16.05 acre) tract, and for the Northwest corner of said Gutierrez (2.024 acre) tract and for the Northwest corner of that certain tract of land as conveyed to the City of Austin by Street Deed recorded in Volume 9647 Page 182 of the Real Property Records of Travis County, Texas, same being an angle corner of this tract;

THENCE with the most Westerly line of said Stephen and Rodney Anderson fract and with the West line of said Hugo Anderson (16.05 acre) tract, N 72 deg. 35' 00" E 34.23 ft. to a spindle set in the interior of the improved Shady Lane for the Southwest corner of that certain tract of land as conveyed to Fidel Estrade, Jr. by deed recorded in Volume 3709 Page 1887 of the Deed Records of Travis County, Texas, and being an angle corner of said Stephen and Rodney Anderson tract, same being an angle corner of this tract;

THENCE re-entering the Interior of said Hugo Anderson (16.05 acre) tract with the common line of said Stephen and Rodney Anderson tract and said Estrada tract and with the North line of said 25 ft. "Roadway" strip, S 58 deg. 50' 36" E 332.27 ft. to a ½" iron pipe found at the base of an old fence corner post for the Southeast corner of said Estrada tract and for an angle corner of said Stephen and Rodney Anderson tract, and being an angle corner of this tract;

THENCE continuing across the interior of said Hugo Anderson (16.05 acre) tract, N 29 deg. 22' 23" E 163.88 ft. to a ½" fron pipe found at an old fence corner post for an angle corner of said Stephen and Rodney Anderson tract and for the Northeast corner of said Hamby (3.2 acre) tract and for the Northeast corner of that certain (one acre) tract of land as conveyed to F.F. Gooding by deed recorded in Volume 812 Page 583 of the Deed Records of Travis County, Texas, and for the Northeast corner of that certain tract of land as conveyed to William A. Gouldie by deed recorded in Volume 8450 Page 753 of the Deed Records of Travis County, Texas, and being an angle corner of this tract;

THENCE along an old wire fence, S 60 deg. 30' 37" E 108.21 ft. to a ½" Iron pipe found in the centerline of a small creek for an angle corner of sald Stephen and Rodney Anderson tract and for the Southeast corner of that certain tract of land as conveyed to Steven DePaz by deed recorded in Volume 10938 Page 977 of the Real Property Records of Travis County, Texas, and being an angle corner of this tract;

THENCE with the common line of said Stephen and Rodney Anderson tract and said DePaz tract, N 30 deg. 09' 08" E at 188.63 ft. passing a PK nail found in asphelt in the South line of Jain Lane, a thirty-foot (30') wide Right-of-Way as established by instrument dated April, 1930, and recorded in Book U Page 33 of the Commissioners' Court Minutes of Travis County, Texas, and continuing with the same course for a total distance of 203.63 ft. to a spindle found in the centerline of Jain Lane an angle corner of this tract;

THENCE with the centerline of "Jain Lane", N 59 dag. 58' 10" W 142.22 ft. to a 1/2" fron rod found with a plastic cap imprinted with "Carson and Bush Professional Surveyors" at a point of intersection with the Westerly projection of the North line of that certain (3.08 acre) tract of land as conveyed to Coastal States Marketing, Inc., now known as El Paso Merchant Energy Petroleum Company, by deed recorded in Volume 4131 Page 2307 of the Deed Records of Travis County, Texas, and the South line of the Southern Pacific Raifroad, and being a Northwesterly angle comer of this tract;

THENCE with the South line of the Southern Pacific Railroad, N 73 deg. 02' 50" E 753.42 ft. to a %" iron rod found with a plastic cap imprinted with "Carson and Bush Professional Surveyors" for the Northeast corner of said (3.08 acre) tract and for the Northwest corner of that certain tract of land as conveyed to El Paso Merchant Energy Petroleum Company by Warranty Deed recorded in Document No. 2003135554 of the Official Public Records of Travis County, Texas;

THENCE continuing with the South line of the Southern Pacific Railroad, N 73 deg. 02' 50" E 612.18 ft. to a currently inundated point on a concrete drainage channel for the Northeast corner of said El Paso tract (Document No. 2003135554) and for the North common corner of Lots 10 and 11, Block C, Pecan Grove, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 59 Page 3 of the Plat Records of Travis County, Texas, and for a Northwesterly corner of that certain (49.99 acre) tract of land as conveyed to Joe Stanzel and Victor Stanzel by deed recorded in Volume 3099 Page 196 of the Deed Records of Travis County, Texas, and being the Northeast comer of this tract:

THENCE with the common line of said El Paso tract (Document No. 2003135554) and said Pecan Grove, S 30 deg. 19' 41" W at 322.14 ft. passing a ½" iron red found for the West common corner of Lot 9 and Lot 10, Block C, Pecan Grove, and at 577.10 ft passing a ½" iron red found for the West common corner of Lot 6 and Lot 7, Block C, Pecan Grove, and continuing along the same course for a total distance of 936.44 ft. to a spindle found in asphalt paving for a Southeasterly corner of this tract and being in the curving North right-of-way line of Jain Lene;

THENCE with the North right-of-way line of Jain Lane (as described in the aforementioned Commissioners' Court Book U Page 33), the following three (3) courses;

- along a curve to the left with a radius of 71.79 ft. for an arc length of 13.18 ft. and which chord bears S 49 deg. 43' 19" W 13.16 ft. to a spindle found in asphalt for a point of reverse curvature;
- along a curve to the right with a radius of 46.14 ft, for an arc length of 60.86 ft, and which chord bears S 82 deg. 14' 51" W 56.54 ft, to a spindle found in asphalt for a point of tangency;
- N 59 deg. 58' 10" W 10.19 ft, to a spindle found for an angle corner of this tract;

THENCE crossing the interior of "Jain Lane", S 29 deg. 58' 06" W at 30.00 ft. passing a ½" iron pipe found for the Northeast corner of that certain (0.432 acre) tract of land as conveyed to El Paso Merchant Energy Petroleum Company by Warranty Deed recorded in Document No. 2003264332 of the Official Public Records of Travis County, Texas, and continuing with the same course for a total distance of 216.48 ft. to a PK nail found in concrete at the base of a fence corner post for an engle corner in the West line of Lot 3, Block B, of said Pecan Grove and for an angle corner of the aforementioned El Paso tract (Document No. 200317135) and for the South corner of said El Paso (0.432 acre) tract, and being an angle corner of this tract;

Page 4 of 4.

THENCE with the common line of said Stephen and Rodney Anderson tract and said Pecan Grove, the following two (2) courses:

1) S 17 deg. 10' 06" E 83,38 ft. to a 1/2" iron pipe found;

2) S 18 deg. 31' 39" W 381.02 ft. to a ½" iron rod found in the West line of Lot 10, Pecan Grove, for the Southeast corner of said Stephen and Rodney Anderson tract and for the Northeast corner of that certain tract of land as conveyed to the City of Austin by Warranty Deed recorded in Volume 11297 Page 1112 of the Real Property Records of Travis County, Texas, and being the Southeast corner of this tract, and from which a chiseled "X" found in concrete for the Southeast corner of said City of Austin tract bears S 18 deg. 32' 48" W 132.41 ft.:

THENCE with the North line of said City of Austin tract, S 80 deg. 56' 48' W 37.40 ft. to a point in an Easterly deed line of that certain (23.32 acre) tract of land as conveyed to the City of Austin in September, 1946, by deed recorded in Volume 828 Page 5 of the Deed Records of Travis County, Texas, and being the Southeast corner of that certain (1,585 square feet) tract of land as conveyed to the City of Austin by Quit Claim Deed recorded in Document No. 2012076626 of the Official Public Records of Travis County, Texas, same being an angle corner of this tract, and from which a ½" iron rod found for an angle corner of said El Paso Merchant Energy (22.41 acre) tract bears S 80 deg. 56' 48" W 11.32 ft.;

THENCE with the East line of said City of Austin (1,585 square feet) tract, N 03 deg. 16' 30" E 286.50 ft. to a ½" iron pipe found at an old fence corner post for a common angle corner of said Stephen and Rodney Anderson tract and said City of Austin (23.32 acre) tract, same being an angle corner of this tract;

THENCE with the common line of said Stephen and Rodney Anderson fract and City of Austin (23.32 acre) tract and along old wire fence remnants, N 60 deg. 09' 07" W 123.14 ft to a ½" iron pipe found at the end of said old wire fence for a common angle corner of said Stephen and Rodney Anderson tract and said City of Austin (23.32 acre) tract, and being an angle corner of this tract;

THENCE, S 29 deg. 49' 25" W 244.60 ft. to a ½" iron pipe found at an old fence corner post for an angle corner of said Stephen and Rodney Anderson tract and for the Northeast corner of the aforementioned Friedrich (7.35 acre) tract, and being an angle corner of this tract, and from which a ½" iron rod found at a chain-link fence corner post for an angle corner of said City of Austin (23.32 acre) tract bears S 29 deg. 39' 06" W 325.33 ft.;

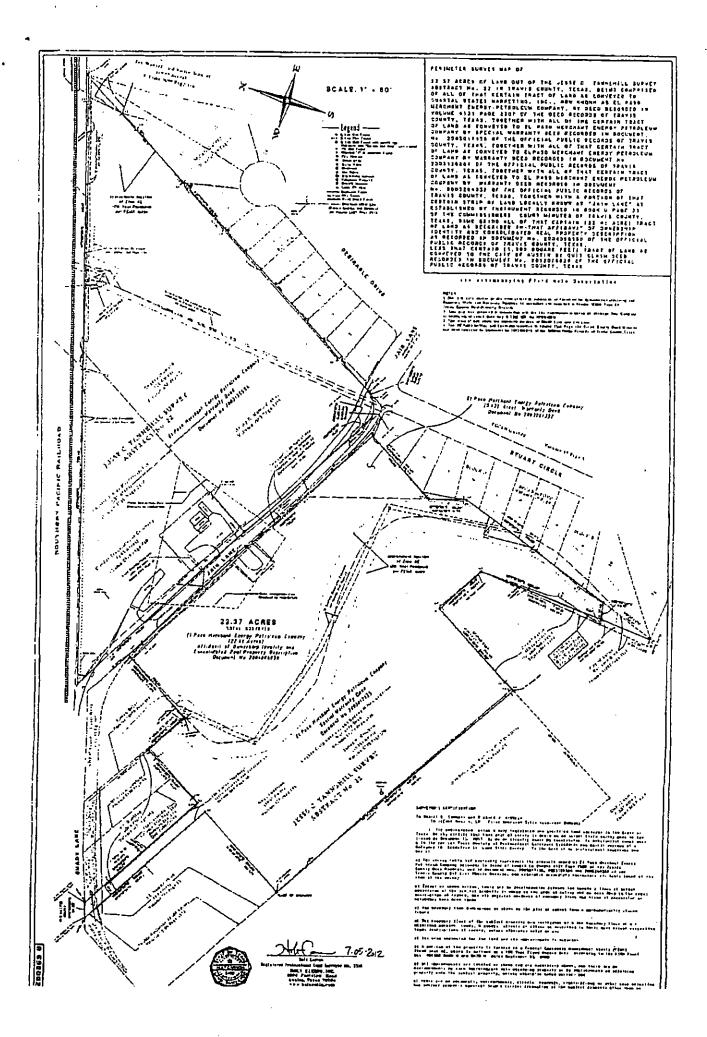
THENCE with a Southerly or Southwesterly line of said Stephen and Rodney Anderson tract, N 58 deg. 52' 07" W 687.85 ft. to the PLACE OF BEGINNING containing 22.37 acres of land.

SURVEYED: December 15, 2011

Holt Carson
Registered Professional Land Surveyor No. 5186

see accompanying map: B 692002





HOLT CARSON, INC.

PROFESSIONAL LAND SURVEYORS

1904 FORTVIEW ROAD AUSTIN, TEXAS 78704 TELEPHONE: (612) 442-0990 FACSIMILE: (612) 442-1084 www.hciaustin.com

FIELD NOTE DESCRIPTION OF 1.926 ACRES OF LAND OUT OF THE JESSE C. TANNEHILL SURVEY ABSTRACT No. 22 IN TRAVIS COUNTY, TEXAS, BEING ALL OF THAT CERTAIN (1.923 ACRE) TRACT OF LAND AS CONVEYED TO DERALD PHILLIP GUTIERREZ BY WARRANTY DEED RECORDED IN DOCUMENT No. 2011025780 OF THE OFFICIAL PUBLIC RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a 'A" iron rod found at the intersection of two fences in the South line of that certain (16.05 acre) tract of land as conveyed to Hugo Anderson by deed recorded in Volume 429 Page 248 of the Deed Records of Travis County, Toxas, and in the North line of that cartain (7.35) acre) tract of land described as "First Tract" and as conveyed to Otto Friedrich by deed recorded in Volume 376 Page 276 of the Deed Records of Travis County, Texas, for the Southeast corner of that certain (3.2 acre) tract of land as conveyed to J.E. Hamby, et ux, by deed recorded in Volume 569 Page 15 of the Deed Records of Travis County, Texas, and for the Southeast corner of that certain (2.024 acra) tract of land as conveyed to Paubla Gutierrez by deed recorded in Volume 13304 Page 3132 of the Real Property Records of Travis County, Texas, and for the Southeast corner of that certain (1.923 acre) tract of land as conveyed to Derald Phillip Gutierrez by Warranty Deed recorded in Document No. 2011025780 of the Official Public Records of Travis County, Texas, and for an angle corner of that certain (11.256 acre) tract of land as conveyed to James H. Crockett by deed recorded in Volume 8775 Page 500 of the Deed Records of Travis County. Texas, and for an angle corner of that certain tract of land as conveyed to Stephen Craig Anderson and Rodney Milton Anderson by Warranty Deed recorded in Volume 13127 Page 2576 of the Real Property Records of Travis County, Texas, and being an angle corner of that certain tract of land as conveyed to El Paso Merchant Energy Petroleum Company by Special Warranty Deed recorded in Document No. 2003017135 of the Official Public Records of Travis County, Texas, and for an angle corner of that certain (22.41 acre) tract of land as described in that Affidavit of Ownership Identity and Consolidated Real Property Description as recorded in Document No. 2004096950 of the Official Public Records of Travis County, Texas, and being the Southeast comer and PLACE OF BEGINNING of the herein described tract, and from which a 1/4" iron pipe found at an old sence comer post for the Northeast corner of said Friedrich (7.35 acre) tract and for an angle corner of said (22.41 acre) tract bears S 58 deg. 52' 07" E 687.85 ft.:

end of Page 1

Page 2 of 2 1.926 ACRES

THENCE with the common line of said Friedrich (7.35 acre) tract and said Gutierrez (1.923 acre) tract, N 59 deg. 02' 18" W 362.66 ft. to a square-head bolt found in the East right-of-way line of Shady Lane for the Southwest corner of said Gutierrez (1.923 acre) tract and for the Southeast corner of that certain (4,428 square feet) tract of land as conveyed to the City of Austin by Street Deed recorded in Volume 9647 Page 182 of the Real Property Records of Travis County, Texas, and being the Southwest comer of this tract;

THENCE with the East right-of-way line of Shady Lane and with the West line of said Gutierrez (1.923 acre) tract and with the East line of said City of Austin (4,428 square feet) tract, the following two (2) courses;

1) N 29 deg. 43' 22" E 87.47 ft. to a 1/2" iron rod set with a plastic cap imprinted with "Holt Carson, Inc." for a point of curvature;

2) along a curve to the right with a radius of 270,00 ft. for an arc length of 158.42 ft. and which chord bears N 46 deg. 34' 26" B 156.16 ft. to a 1/2" iron rod set with a plastic cap imprinted with "Holt Carson, Inc." in the South line of a twenty-five feet (25') wide "Roadway" strip of which title was reserved and retained in said deed recorded in Volume 569 Page 15 of the Deed Records of Travis County, Texas, for the Northwest corner of said Gutierrez (1.923 acre) tract and for the Northwest corner of said City of Austin (4,428 square feet) tract, and being the Northwest corner of this tract, and from which a spindle found in the interior of the improved Shedy Lene for an angle corner of said (22.41 acre) tract bears N 58 deg. 50'36"W 38.13 ft.;

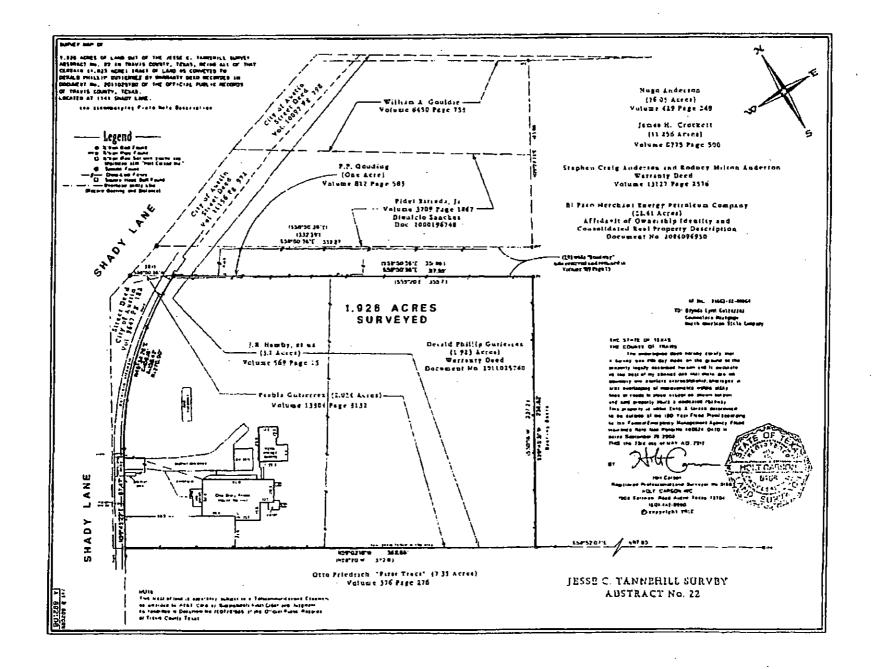
THENCE with the common line of said Gutierrez (1.923 acre) tract and said (22.41 acre) tract, S 58 deg. 50' 36" E 317.55 ft. to a 1/4" iron pipe found at a chain-link fence comer post for the Northeast corner of said Gutierrez (1.923 acre) tract and for the Southeast corner of said twenty-five (25') wide "Roadway" strip and for an angle corner of said (22.41 acre) tract and being the Northeast corner of this tract,

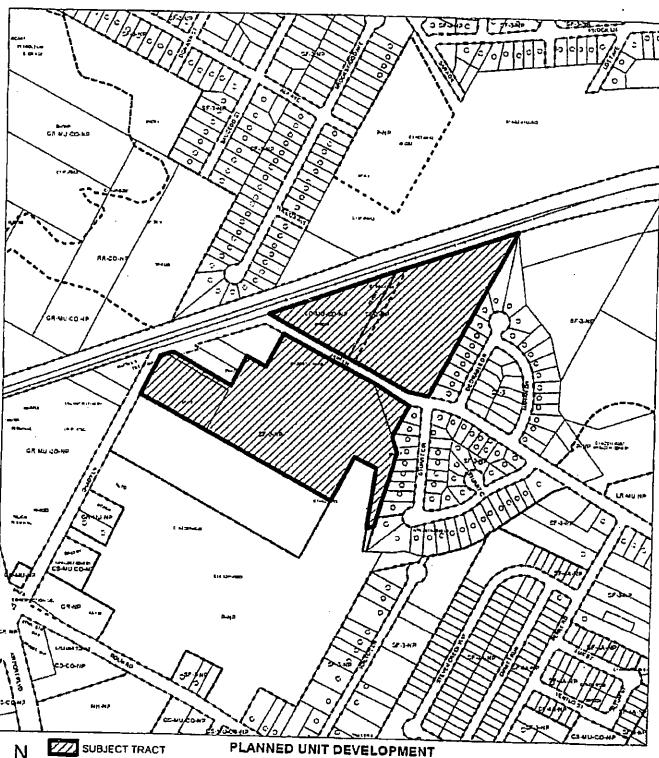
THENCE with the common line of said Gutierrez (1.923 acre) tract and said (22.41 acre) tract, S 29 deg. 45' 31" W 236.82 ft. to the PLACE OF BEGINNING, containing 1.926 acres of land

SURVEYED: May 23, 2012

Holt Carson

Registered Professional Land Surveyor No. 5166





SUBJECT TRACT
PENDING CASE
ZONING BOUNDARY

ZONING CASE#: C814-2012-0128.SH

This product is for informational purposes and may not have been prepared for or be suitable for legal, or surveying purposes it does not represent an on-the-ground survey and represents only the approximate resistive location of property boundaries.

1"=4001

This product has been produced by CTM for the solo purpose of geographic reference, No warranty is made by the City of Austin regarding specific accuracy or completeness.



